

REMARKS

Claims 3 and 23 have been rewritten in independent form, claims 1 and 21 have been amended and claims 13 to 20 are canceled. Claims 1 to 12 and 21 to 23 are active in this application of which claims 3 to 12 and 23 have been indicated to be allowable. Please charge any costs to Deposit Account No. 20-0668.

The specification has been amended to overcome the objection thereto.

The claims have been amended to overcome the objection thereto.

Claims 1, 2, 21 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leung (U.S. 5,406,283) in view of Rombouts et al. publication. The rejection is respectfully traversed.

Claim 1 relates to an arrangement for suppressing digital-to-analog converter (DAC) error arising from mismatched elements contained in a DAC that is part of a modulator that provides a digital output, the arrangement having a digital output from the modulator, the modulator having a DAC as a part thereof and a shifting arrangement configured to controllably shift a digital word derived from the digital output to cause said a-DAC error distribution to constitute a low pass profile suppressing DAC error at higher frequencies around half a sampling frequency. A review of Leung will immediately indicate that there is no DAC shown and no shifting arrangement configured to controllably shift a digital word derived from the digital output to cause the error distribution to constitute a low pass profile suppressing DAC error. It follows that there is no basis to combine Leung with Rombouts et al. despite any teaching of Rombouts et al. The combination is therefore clearly based upon the teaching of the subject

application and not derived from Leung, even were the combination to be otherwise valid, which it is not.

Claim 2 depends from claim 1 and therefore defines patentably over the applied references for at least the reasons presented above with reference to claim 1.

In addition, claim 2 further limits claim 1 by requiring that the shifting arrangement controllably shift the digital word using only a single pointer per clock cycle. No such combination is found in the applied references.

Claims 21 and 22 track claims 1 and 2, but in method format, and therefore define patentably over the applied references for the reasons stated above with reference to claims 1 and 2.

In view of the above remarks, favorable reconsideration and allowance are respectfully requested.

Respectfully submitted,



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